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FILED & ENTERED

JAN 20 2022

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY wesley DEPUTY CLERK

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UNITED STATES BANKRUPTCY COURT

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CENTRAL DISTRICT OF CALIFORNIA

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LOS ANGELES DIVISION

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In re:

Case No. 2:22-bk-10266BB

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ESCADA AMERICA, LLC; fka

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ESCADA US SUBCO, LLC;

Chapter 11

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Debtor(s)

ORDER SETTING SCHEDULING AND CASE
MANAGEMENT CONFERENCE IN
SUBCHAPTER V CASE

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Hearing:

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Date: March 2, 2022

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Time: 10:00 A.M.

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Place: 255 E. Temple Street, Ctrm: 1539, 15th fl
Los Angeles, CA 90012

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PLEASE TAKE NOTICE that, pursuant to 11 U.S.C. § 1188, the Court will conduct
a status conference in the above case at the place and time set forth above. Pursuant to
11 U.S.C. § 1183(b), the Subchapter V Trustee must appear at the Status Conference.

1 **PLEASE TAKE FURTHER NOTICE** that, based upon the Court's records and
2 evidence presented at the status conference, the Court may do one or more of the
3 following at the status conference (or at any continued hearing) without further notice:

- 4 1. dismiss the case;
- 5 2. convert the case to another chapter;
- 6 3. order that the debtor be removed pursuant to 11 U.S.C. §1185(a) or
7 reinstated pursuant to section 1185(b);
- 8 4. establish deadlines for the filing of claims, requests for payment of
expenses of administration and/or objections to claims;
- 9 5. set deadlines for filing or soliciting acceptances of a proposed plan and
determine whether or not there is cause to require the debtor to submit
10 a disclosure statement to accompany that plan;
- 11 6. fix the scope and format of the notice to be provided regarding the hearing
on approval of any disclosure statement;
- 12 7. establish procedures for the conduct of the confirmation hearing or any
hearing that may be held to approve a disclosure statement;
- 13 8. set a deadline for confirmation of a plan;
- 14 9. set deadlines for compliance with reporting and other Subchapter V
requirements;
- 15 10. set deadlines for the assumption or rejection of executory contracts or
unexpired leases;
- 16 11. ascertain whether there is cause to direct the United States Trustee to
appoint one or more committees; and/or
- 17 12. refer matters to mediation.

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21 **PLEASE TAKE FURTHER NOTICE** that, whether the debtor files its schedules
22 and statements using the 100 series (for individual debtors) or the 200
23 series (for non-individual debtors), the forms are mandatory and must be
24 executed under penalty of perjury. Any disclaimers, reservations, caveats,
25 general notes or exceptions that debtors or their counsel may append to
or include in such forms are ineffective to alter the duty of care or the level
of detail required in connection with the preparation of these forms and do
not create or preserve any rights that would not otherwise have existed in
the absence of such language.

1 **IT IS HEREBY ORDERED** as follows:

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1. The debtor in possession (or the chapter 11 trustee, if one has been appointed), shall serve a copy of this order on the United States Trustee, all secured creditors, the Subchapter V trustee, the 20 largest unsecured creditors, and any parties that have requested special notice in the case not less than **21 days** prior to the date scheduled for the status conference;
 2. The debtor in possession (or the chapter 11 trustee, if one has been appointed) shall file with the court and serve on the parties identified in the preceding paragraph not less than **14 days** prior to the date scheduled for the status conference a written status report that includes the following information:
 - a. a brief description of the debtor's businesses and operations, if any, and the principal assets and liabilities of each estate;
 - b. brief answers to these questions:
 1. What precipitated the bankruptcy filing?
 2. What does the debtor hope to accomplish in this chapter 11 case?
 3. What are the principal disputes or problems likely to be encountered during the course of the debtor's reorganization efforts?
 4. How does the debtor recommend that these disputes be resolved and why?
 5. Has the debtor complied with all of its duties under FRBP Interim Rule 2015(b) and 11 U.S.C. §§ 521, 1184 and 1187 and all applicable guidelines of the Office of the United States Trustee, and, if not, why not?
 6. Do any parties claim an interest in cash collateral of the debtor?
 7. Is the debtor using cash that any party claims as its cash collateral and, if so, on what date(s) did the debtor obtain an order authorizing the use of such cash or the consent of such party?

- 1 c. the identity of all professionals retained or to be retained by the
2 estate, the dates on which applications for the employment of such
3 professionals were filed or submitted to the United States Trustee,
4 the dates on which orders were entered in response to such
5 applications, if any, and a general description of the type of
6 services to be rendered by each or the purpose of the employment;
- 7 d. in operating cases, evidence regarding projected income and
8 expenses for the first six months of the case;
- 9 e. proposed deadlines for the filing of claims and objections to claims;
- 10 f. a proposed deadline for the filing of a plan of reorganization within
11 the time frame set forth in 11 U.S.C. § 1189, or an explanation of
12 why the debtor believes that the deadline set forth in section 1189
13 should be extended due to circumstances for which the debtor
14 should not justly be held accountable;
- 15 g. a discussion of the efforts that the debtor has undertaken and will
16 undertake to attain a consensual plan of reorganization in the case
17 or an explanation of why the debtor does not believe that it will be
18 possible for the debtor to negotiate a consensual plan of
19 reorganization; and
- 20 h. a discussion of any significant unexpired leases and executory
21 contracts to which the debtor is a party and the debtor's intentions
22 with regard to these leases and contracts.

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27 Date: January 20, 2022

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32 Sheri Bluebond
33 United States Bankruptcy Judge

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